

PUBLIC DEFENDER COMMISSION MINUTES

April 22nd, 2006

Pre-Release Center

1019 N. 15th St.

Great Falls, Montana

Call to Order:

The Public Defender Commission meeting was called to order at 8:45 a.m. by Chairman Jim Taylor.

Commissioners Present:

Betty Bischel, Edgar; Daniel Donovan, Great Falls; Stephen Nardi, Kalispell; James Park Taylor, Pablo; Wendy Holton, Helena; Doug Kaercher, Havre; Jennifer Hensley, Butte; and Tara Veazey, Helena.

Commissioners Absent:

Theda New Breast, Babb; Mike Sherwood, Missoula; and Caroline Fleming, Miles City.

Other Interested Parties:

Beth Brenneman, Montana Advocacy Program; Scott Crichton, ACLU; and Robin Rowe of ASIME.

Public Comment on Standards:

Beth Brenneman of MAP addressed the Commission with her comments on the standards as follows:

On page 18 of the General Standards, section 3 should include health care facilities.

On page 22 of the General Standards, she talked about caseload caps and that 100 civil commitments is good.

On page 23, subsection (c) of the General Standards she thinks that mental health issues and disability should be added to the language.

On page 26 subsection 6 of the General Standards regarding clients with immediate needs we should add that they have access to medication and detox.

On page 33 b (7) add availability of programs through the Department of Corrections.

Ms. Brenneman also talked about the sealing of jury questionnaires.

On page 48 she suggested leaving section (ee) but moving it into the juvenile standards.

She also suggested amended the Appellate Standards to include civil matters.

Chief Hood stated that we will have a separate section on detention.

Ms. Brenneman also asked that they add to the attorney training an awareness on special education needs while a juvenile is in detention and she stated that MAP can help with this. She also asked that they add training on interviewing the parents in these types of cases. She will provide additional written comments on Youth Court cases to the Commission.

Ms. Brenneman will incorporate the Representation of Ward standards into the Involuntary Commitment standards. Ms. Brenneman will also submit written comments on the Representation of Parents in Dependent/Neglect Cases standards.

Ms. Brenneman also suggested on page 48 in the General Standards that rights to post-conviction relief be added as subsection (ee).

Other Discussion:

Mr. Freebourn asked the Commission if costs related to a Serious Crime Unit should be included in FY 2007 or if the office should increase the budget for contract services by 5 percent? The general response was to increase the budget for contract services and to include a new budget item

for FY 2008 and beyond and decrease the budget for contract services as appropriate. Mr. Freebourn also asked that he hold a conference call with the Commission's Budget Committee once he has numbers for all new budget items and that they be allowed approved the budget items for inclusion in the May 1st budget submission to the Governor's Office until the full Commission can review and approve them at their next meeting. The Commission agreed to this process.

12:00 P.M. Meeting Adjourned